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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/016,137	11/01/2001	Masaya Matsuura	100809-00060(SCEY 19.130)	4151
26304	7590	03/19/2004	EXAMINER	
KATTEN MUCHIN ZAVIS ROSENMAN 575 MADISON AVENUE NEW YORK, NY 10022-2585			AMINI, JAVID A	
			ART UNIT	PAPER NUMBER
			2672	
DATE MAILED: 03/19/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/016,137

Applicant(s)

MATSUURA ET AL.

Examiner

Javid A Amini

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)                                    | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____.  |

***Claim Rejections - 35 USC § 102***

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-3, 6 and 14 rejected under 35 U.S.C. 102(e) as being anticipated by Miller et al.  
(hereinafter referred as a Miller).

1. Claim 1.

An information processing method comprising the steps of: Miller in fig. 1, step 38 illustrates a character data, and also Miller in cols. 1 and 2, lines 59-67; 1-2 teaches that a user interface for editing a character string may provide two alternate displays. A first display allows a user to input and view any desired portion of the character string for the purpose of editing. A second display allows a user to view how the character string appears at a selected point in time during a titling effect for the purpose of animation. In both displays, the text is displayed in a three-dimensional form. This interface may be combined with a timeline editing interface for editing an associated video program, or other user interface, to permit layering of titling effects and adjustment of animation properties and timing. "Selecting a predetermined letter from a plurality of letters"; Miller in fig. 3 steps 58-61 illustrates selection of a letter from step 54 (text box) that contains a plurality of letters. And also in abstract discloses that the character may be manipulated using three-dimensional animation techniques, "displaying an object formed by adding visual effect on the selected letter"; Miller in abstract discloses that animation properties are represented using a normalized scale over time. Animation may be provided in a manner that is independent of the spatial and temporal resolution of the video to which it is applied. Such animation may be applied to characters defined by a set of polygons. A user interface for

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editing a character string may provide two alternate displays. Miller in col. 11, lines 18-24 teaches that In response to a user selecting an area outside of the text display area with the pointing device 160 or providing a predetermined input, such as a specified key on the keyboard, an alternate mode for the purpose of animation is shown, as illustrated in FIG. 11.

“displaying a predetermined object which is moved in accordance with a user's instruction, comparing display positions between the predetermined object and the object to which the visual effect is added”. Miller in fig. 3 illustrates a data structure which represents a titling effect to be applied to video is a scene graph. The implementation may be object oriented. The scene graph object may be implemented as a tree or other structure such as a list, array, etc.

2. Claim 2.

The method according to claim 1, wherein the plurality of letters is formed from a text data.  
Miller in fig. 1, step 38 illustrates a character data

3. Claim 3.

The method according to claim 1, further comprising the step of: arranging the object to which the visual effect is added in a line, and displaying the object with being moved by scrolling.

Miller in col. 1, lines 11-19 discloses that character generators are systems that are used to add text, such as titles and credits, to video programs, such as a television, film, video and other multimedia programs. Titles often are designed to roll or crawl over a screen, commonly called scrolling.

4. Claim 6.

A storage medium having recorded therein an information processing program to be executed on a computer, wherein the information processing program comprising the steps of; selecting a

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predetermined letter from a plurality of letters; arranging the object formed by adding visual effect on the selected letter in a line, and displaying the object with being moved by scrolling; displaying an predetermined object which is moved in accordance with a user's instruction; and comparing display positions between the predetermined object and the object to which the visual effect is added. See rejection of claim 1.

5. Claim 14.

An information processing program to be executed on a computer, wherein the information processing program comprises the steps of: selecting a predetermined letter from a plurality of letters; arranging the object formed by adding visual effect on the selected letter in a line, and displaying the object with being moved by scrolling; displaying an predetermined object which is moved in accordance with a user's instruction; and comparing display positions between the predetermined object and the object to which the visual effect is added. See rejection of claim 1.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4-5 and 7-13 rejected under 35 U.S.C. 103(a) as being unpatentable over Miller, and further in view of Gasper et al. (hereinafter referred as a Gasper).

6. Claim 4.

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The method according to claim 1, wherein the plurality of letters is formed from an audio data. Miller does not explicitly specify inputted audio data, however Gasper in fig. 1 step 9 illustrates audio input. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Gasper into Miller in order to the interface system provides a user with the capability to quickly and efficiently create advanced animated talking agents to provide an interface between users and computers. And prevents visual artifacts that are undesirable, such as pixellation.

7. Claim 5.

The method according to claim 4, wherein the audio data is a musical sound. The step is obvious because audio input can be music data from a CD ROM drive see fig. 1 step 4.

8. Claim 7.

A terminal device comprising: storing means for storing an information processing program; selecting means for selecting a predetermined letter from a plurality of letters and forming an object by adding visual effect on the selected letter, or making letters corresponding to audio data and forming an object by adding the visual effect on the letters, according to the information processing program; first display-control means for displaying the object to which the visual effect is added on displaying means with being moved by scrolling; second display-control means for displaying a predetermined object which is moved in accordance with operation by operating means on the displaying means; and comparing means for comparing display positions between the predetermined object and the object to which the visual effect is added.

See rejection of claims 1 and 4

9. Claim 8.

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The terminal device according to claim 7, further comprising; communication means for downloading the information processing program from a predetermined server machine into the storing means. Miller in col. 5, lines 35-45 discloses that additionally, the computer system may be a multiprocessor computer system or may include multiple computers connected over a computer network.

10. Claim 9.

The terminal device according to claim 7, further comprising; game difficulty setting means for setting a degree of game difficulty, and wherein the object forming means reduces the number of the selected letters from the plurality of letters in response to the set degree to form the object to which the visual effect is added. Gasper in col. 2 lines 1-29 teaches the steps above.

11. Claim 10.

12. The terminal device according to claim 7, wherein the second display-control means changes an appearance of the predetermined object in accordance with comparison result of the comparing means. Gasper in figs. 6-8a illustrates it.

13. Claim 11.

The terminal device according to claim 7, further comprising; third display-control means for displaying the comparison result of the comparing means on the display means. Gasper in fig. 8a illustrates it.

14. Claim 12.

A terminal device comprising; storing unit for storing an information processing program; selecting unit for selecting a predetermined letter from a plurality of letters and forming an object by adding visual effect on the selected letter, or making letters corresponding to audio data and

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forming an object by adding the visual effect on the letters, according to the information processing program; first display-control unit for displaying the object to which the visual effect is added on displaying unit with being moved by scrolling, second display-control unit for displaying a predetermined object which is moved in accordance with operation by operating unit on the displaying unit; and comparing unit for comparing display positions between the predetermined object and the object to which the visual effect is added. See rejection of claim 7.

15. Claim 13.

A network game system comprising; a terminal device which comprises: selecting means for selecting a predetermined letter from a plurality of letters or forming means for forming letters corresponding to audio data; object forming means for forming an object by adding visual effect on the letter; first display-control means for arranging the object to which the visual effect is added in a line, and displaying the object on display means with being moved by scrolling; second display-control means for display a predetermined object which is moved in accordance with a user's instruction; comparing means for comparing display position between the predetermined object and the object to which the visual effect is added; and transmitting means for transmitting the comparison result via a predetermined network, and, the server machine which is connected to the predetermined network and transmits to the terminal device at least one of an aggregation result of scores after the aggregation of the comparison result received from the terminal device or the predetermined contents in accordance with the comparison result received from the terminal device. See rejection of claim 12.

***Conclusion***



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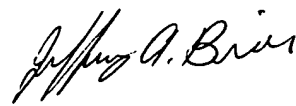
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Javid A Amini whose telephone number is 703-605-4248. The examiner can normally be reached on 8-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Razavi can be reached on 703-305-4713. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Javid A Amini  
Examiner  
Art Unit 2672

Javid Amini

  
JEFFERY BRIEN  
PRIMARY EXAMINER